



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

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ATTORNEY GENERAL

DIVISION OF STATE COUNSEL
LITIGATION BUREAU

October 13, 2023

Via ECF

The Honorable Frank P. Geraci, Jr.
United States District Court for the Western District of New York
United States Courthouse
100 State Street
Rochester, New York 14614

Re: *New York State Firearms Association, et al. v. Nigrelli*, No. 23-cv-6524-FPG

Dear Judge Geraci,

This office represents Dominick L. Chiumento, in his official capacity as Acting Superintendent of the New York State Police. I write to request that Superintendent Chiumento be substituted as a defendant for his predecessor, Steven A. Nigrelli, pursuant to Federal Rule of Civil Procedure 25(d).

Superintendent Nigrelli, the current defendant in this action, retired from government service effective October 5, 2023. Because Superintendent Nigrelli is sued only in his official capacity, see Amended Complaint, ECF No. 4 at 1, the substitution takes place “automatically.” Fed. R. Civ. P. 25(d); see Williams v. Annucci, 895 F.3d 180, 187 (2d Cir. 2018). We request that the case caption be amended to reflect Superintendent Chiumento stepping into the role.

We thank the Court for its time and consideration of this request.

Respectfully submitted,

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Cc: All counsel of record (Via ECF)